

Public Law 100-544
100th Congress

An Act

Oct. 28, 1988

[H.R. 5066]

To add additional land to the Salt River Pima-Maricopa Indian Reservation in Arizona, and for other purposes.

Public lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS AND POLICY.

(a) The Congress hereby finds that—

(1) the Salt River Pima-Maricopa Indian Reservation was established on Federal lands for the purpose of providing a place for members of the Salt River Pima-Maricopa Indian community to live in peace and prosperity with other persons in Arizona;

(2) the use of lands within the Salt River Pima-Maricopa Indian Reservation will be lost to the community through location of a regional freeway if an agreement is reached between the State of Arizona and the Salt River Pima-Maricopa Indian community; and

(3) the State of Arizona will compensate the Bureau of Land Management for land described in section 2 with lands of approximately equivalent value.

(b) The Congress hereby declares that it is the policy of the Congress to expedite these land exchanges and upon transfer of title from the State of Arizona to the Salt River Pima-Maricopa Indian community add this additional land to the Salt River Pima-Maricopa Indian Reservation.

SEC. 2. AUTHORIZATION FOR EXCHANGE.

The Secretary of the Interior is authorized and directed to exchange a tract of land known as Red Mountain located in section 24, township 2 north, range 6 east, Gila and Salt River meridian.

SEC. 3. REVOCATION OF RECLAMATION WITHDRAWALS.

(a) Notwithstanding any other provision of law, in order to facilitate the transfer of certain Federal lands:

(1) Secretarial orders dated July 2, 1902, and February 10, 1906, which withdraw lands in aid of the Salt River project, are hereby revoked on the following described lands:

Lots 7, 9, 11, 13 through 15, and 17 through 29 of section 24, township 2 north, range 6 east, Gila and Salt River meridian.

The effective date of the revocation shall be the date of patent.

(b) Reserving to the Salt River project an easement for electric transmission and distribution lines and access purposes as to a portion of the east half of section 24, township 2 north, range 6 east of the Gila and Salt River meridian, Maricopa County, Arizona, as authorized by virtue of this Act.

Said easement being that portion of the east 300.0 feet of said section 24 lying west of a line extending northerly from a point on the south section line of said section 24 being 51.0 feet west of the southeast corner of said section 24 to a point on the north section line of said section 24 being 129.0 feet west of the northeast corner of said section 24 as hereby referenced and depicted on drawing C-675-439.90. Said easement establishes a priority right of the Salt River Project to the Bureau of Land Management Right of Way Number A.R. 020234.

(c) The United States of America and the Salt River project shall not be liable whatsoever for damages to any lands revoked under section 3(1) of this Act which may be caused by flooding in conjunction with any of the United States or Salt River project existing or future facilities or protective works.

(d) Any future patentee, its heirs, executors, administrators, successors, and assigns shall be held liable to the United States or the Salt River project for damages caused by their activities which alter drainage and adversely affect adjacent lands, project facilities, or protective works of the United States or Salt River project.

(e) Reserving to the United States a right of way for road purposes, as described in the Bureau of Land Management A.R. 020234.

SEC. 4. ADDITION OF LANDS TO THE SALT RIVER PIMA-MARICOPA INDIAN RESERVATION.

The boundary of the Salt River Pima-Maricopa Indian Reservation in Arizona, created by Executive order issued on June 14, 1879, as amended, shall be modified in accordance with the provisions of section 5 of this Act at such time as the reservation acquires title to the lands. Any portion of such boundary established by this Act shall be fixed and permanent and not ambulatory.

SEC. 5. RESERVATION LANDS.

(a) Upon acquisition by the Salt River Pima-Maricopa Indian Community the following lands containing approximately 594 acres lying southerly of the present reservation shall be added to the reservation:

(1) That portion of section 23, township 2 north, range 6 east, Gila and Salt River meridian, Maricopa County, Arizona, described as follows:

Beginning at a witness point on the east line of said section 23, which is south 2 degrees 15 minutes west, 9.58 chains distance from the northeast corner of said section, said point being on the southerly right of way of the Southern Canal as shown on the official Bureau of Land Management plat of the metes-and-bounds survey in section 23, accepted September 26, 1983.

Thence by metes-and-bounds along the southerly right of way of the Southern Canal as shown of said plat,

south 55 degrees 56 minutes west, 3.31 chains, to AP 1;
south 61 degrees 16 minutes west, 4.875 chains, to AP 2;
south 69 degrees 42 minutes west, 3.695 chains, to AP 3;
south 75 degrees 02 minutes west, 4.095 chains, to AP 4;
south 57 degrees 16 minutes west, 3.235 chains, to AP 5;
south 68 degrees 03 minutes west, 9.22 chains, to AP 6;
south 76 degrees 29 minutes west, 8.265 chains, to AP 7;
south 65 degrees 41 minutes west, 6.30 chains, to AP 8;
south 59 degrees 46 minutes west, 2.815 chains, to AP 9;
south 45 degrees 35 minutes west, 29.64 chains, to AP 10;

south 28 degrees 23 minutes west, 18.72 chains, to AP 11;
south 41 degrees 06 minutes west, 88.44 feet to a point;
Thence leave the southerly right of way of the Southern
Canal and continue by metes-and-bounds through said section
23.

south 88 degrees 49 minutes 55 seconds east, 418.10 feet;
north 15 degrees 54 minutes 15 seconds east, 662.12 feet;
south 88 degrees 49 minutes 55 seconds east, 675.00 feet;
south 0 degree 34 minutes 46 seconds west, 640.38 feet;
south 88 degrees 49 minutes 55 seconds east, 3,477.03 feet
to a point on the east line of section 23, which is north 0
degree 37 minutes west, 945.29 feet from the southeast
corner of section 23;

Thence northerly along the east line of section 23 3,788.97
feet, more or less, to the witness point on the southerly right of
way of the Southern Canal and the point of beginning, contain-
ing approximately 251 acres, and

(2) Lots 7, 9, 11, 13, 14, 15, 17, 18, 20, 22, and 24, section 24,
township 2 north, range 6 east, Gila and Salt River meridian,
containing approximately 343 acres and subject to conditions,
reservations and easements of section 3 (a), (b), (c), and (d) as
authorized by virtue of this Act.

(b) Any lands added to the reservation under this Act shall
become a part of the reservation in all respects and upon all the
same terms as if such lands had been included in the Executive
order issued by the President on June 14, 1879, as amended, except
that such lands shall remain tribal lands and shall not be subject to
allotment to individual Indians.

Approved October 28, 1988.

LEGISLATIVE HISTORY—H.R. 5066:

HOUSE REPORTS: No. 100-921 (Comm. on Interior and Insular Affairs).

CONGRESSIONAL RECORD, Vol. 134 (1988):

Sept. 22, considered and passed House.

Oct. 14, considered and passed Senate.